

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**ROMELL BROOM,**

**Plaintiff,**

**v.**

**TED STRICKLAND, et al.,**

**Defendants.**

**Case No. 2:09-cv-823**

**JUDGE GREGORY L. FROST**

**Magistrate Judge Terence P. Kemp**

**ORDER**

On September 18, 2009, at the request and by the agreement of the parties, this Court entered a temporary restraining order staying the execution of Romell Broom. (Doc. # 7.) The Court also scheduled an in-court hearing on the motion for a preliminary injunction for September 28, 2009. (*Id.* at 1.) Thereafter, the hearing was rescheduled for November 30, 2009. (Doc. # 13.) Upon Broom's oral motion, this Court accordingly extended the temporary restraining order until the rescheduled hearing date. (Doc. # 12.) Defendants did not object to the requested extension. (*Id.*).

On October 20, 2009, the captioned case came on for a telephone status conference along with two cases also involving Ohio's lethal injection protocol, Case No. 2:04-cv-1156 and Case No. 2:08-cv-442. During this conference, the Court again addressed the issue of continuing the November 30, 2009 hearing date; the parties and the Court had previously discussed a continuance a number of times. The Court proposed that, if a continuance were necessary, the hearing be rescheduled for December 7, 2009. Counsel for Broom agreed to this date. Counsel for Defendants requested that the hearing be set for December 9, 2009. In light of the issues that still need to be addressed prior to the hearing, the Court continued the hearing until December 9,

2009, at 9:00 a.m. The parties could not agree on continuing the temporary restraining order until this date. Having considered the issues involved, the Court **GRANTS** an extension of the temporary restraining order until December 9, 2009, at 11:59 p.m. or until further order of this Court.

**IT IS SO ORDERED.**

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/s/ Gregory L. Frost  
GREGORY L. FROST  
UNITED STATES DISTRICT JUDGE